

REMARKS

Claims 1, 3-8 and 10-20 are pending in this application. By this Amendment, claims 1, 8 and 14-19 are amended. Support for amended independent claims 1 and 8 may be found in originally filed claim 16. No new matter is added.

A. Introduction

In the outstanding Office Action Made Final, the Examiner rejected claims 16 and 20 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention; rejected claims 1, 8 and 12-15 and 17-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0217932 to Nally et al. (“the Nally et al. reference”) in view of U.S. Patent No. 6,348,959 to Melnick et al. (“the Melnick et al. reference”); rejected claims 3-5, 7 and 10-11 under 35 U.S.C. § 103(a) as being unpatentable over the Nally et al. reference in view of the Melnick et al reference and further in view of U.S. Patent No. 5,841,492 to Iwauchi et al. (“the Iwauchi et al. reference”); rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over the Nally et al. reference in view of the Melnick et al. reference in view of the Iwauchi et al. reference, and further in view of U.S. Patent No. 5,131,736 to Alvarez (“the Alvarez reference”); and rejected claims 16 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over the Nally et al. reference in view of the Melnick et al. reference and further in view of U.S. Patent No. 6,947,034 to Kwon (“the Kwon reference”).

B. Applicant Initiated Interview Summary

On October 3, 2007, a personal interview with Examiner Boddie and Applicants’ representative was conducted, and Applicants appreciate the courtesies extended to Applicants’ representative during the interview. As required by 37 C.F.R. § 1.133(b), Applicants’ summary of the interview is as follows:

1. Brief Description of any Exhibit Shown

No exhibit was shown or demonstrated during the October 3, 2007 interview.

2. Identification of the Claims Discussed

Examiner Boddie and Applicants' representative discussed independent claims 1, 8 and 16.

3. Identification of the Specific Prior Art Discussed

Examiner Boddie and Applicants' representative discussed the Nally et al. reference and the Melnick et al. reference.

4. Identification of Proposed Amendments

Claims 1 and 8, as amended in the above listing of the claims, was proposed to the Examiner during the October 3, 2007 personal interview, and agreed by the Examiner.

5. Summary of the Arguments Presented to the Examiner

In regard to the rejection under 35 U.S.C. § 112, second paragraph, Applicants' representative suggested removing the feature of the "second" no-light period in claim 16 and incorporating this feature into claims 1 and 8, to overcome the rejection under 35 U.S.C. § 112, second paragraph. Examiner Boddie agreed to the proposed amendment and indicated that the proposed amendment would overcome the rejection.

In regard to the prior art rejection, Applicants' representative initially argued that the claimed invention distinguishes over the applied references for the reasons set forth in the Response filed September 13, 2007. Examiner Boddie was not receptive to the arguments, and stated that the combination of the Melnick et al. and the Nally et al. references, as broadly recited, teach all of the features recited in independent claims 1 and 8.

Applicants' representative then suggested amending claims 1 and 8 to include the feature of the "second" non-display period, as the Nally et al. and the Melnick et al. references do not teach or suggest the second non display period, e.g., " t_{off} ." Examiner

Boddie agreed to this proposal, and stated that such an amendment may overcome the current rejection based on the Nally et al. and the Melnick et al. references

6. General Outcome of the Interview

Examiner Boddie agreed to the proposed claims above, and agreed to review the proposed claims in light of the applied references upon receipt of the filed amendment.

C. Asserted Indefiniteness Rejections of Claims 16 and 20

In the outstanding Office action, the Examiner rejected claims 16 and 20 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants submit that claim 16 has now been amended to be definite and clear. In particular, claims 1, 8 and 14-19 have been amended to positively recite a “first non-display period” and a “second non-display period.” Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections.

D. Asserted Obviousness Rejection of Claims 1, 8, 12-15 and 17-18

In the outstanding Office Action Made Final, the Examiner rejected claims 1, 8, 12-15 and 17-18 under 35 U.S.C. § 103(a) as being unpatentable over the Nally et al. reference in view of the Melnick et al. reference. The rejection is respectfully traversed for at least the following reasons.

As discussed and agreed by the Examiner during the interview, Applicants respectfully submit that the Nally et al. reference and the Melnick et al. reference, individually or in combination, fail to disclose or suggest, *inter alia*, “a second non-display period including a second no-light display period during which the driver drives the LCD panel to display no light,” as recited in claim 1 and similarly recited in claim 8.

Both the Nally et al. and the Melnick et al. references are completely silent of having “a second non-display period including a second no-light display period,” e.g., “ t_{off} .”

Accordingly, because both the Nally et al. and the Melnick et al. references fail to disclose each and every feature of the claimed invention, they cannot be provided as a rejection under 35 U.S.C. § 103(a).

Thus, for at least the reasons discussed above, Applicants submit that the combination of the Nally et al. and the Melnick et al. references fails to disclose or suggest all the features of claims 1, 8, 12-15 and 17-18. Accordingly, Applicants respectfully request that the rejection be withdrawn.

E. Asserted Obviousness Rejection of Claims 3-7, 10, 11, 16, 19 and 20

In the outstanding Office Action Made Final, the Examiner rejected claims 3-5, 7, 10 and 11 under 35 U.S.C. § 103(a) as being unpatentable over the Nally et al. reference in view of the Melnick et al. reference and further in view of the Iwauchi et al. reference; rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over the Nally et al. reference in view of the Melnick et al. reference in view of the Iwauchi et al. reference, and further in view of the Alvarez reference; and rejected claims 16 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over the Nally et al. reference in view of the Melnick et al. reference and further in view of the Kwon reference. The rejections are respectfully traversed for at least the following reasons.

As discussed above, Applicants submit that the Nally et al. reference and the Melnick et al. reference fail to disclose or suggest all the features of claims 1 and 8, from which claims 3-7, 10, 11, 16, 19 and 20 directly depend. Applicants further submit that the Iwauchi et al. reference, the Alvarez reference and the Kwon reference, fail to overcome the deficiencies of the Nally et al. reference and the Melnick et al. reference, as applied to claims 1 and 8. Thus, for at least the reasons discussed above, Applicants submit that the combination of the Nally et al. reference, the Melnick et al. reference, the Iwauchi et al. reference, the Alvarez reference and the Kwon reference, fails to disclose or suggest all the features of claims 3-7,

10, 11, 16, 19 and 20. Accordingly, Applicants respectfully request that the rejection be withdrawn.

F. Conclusion

The above remarks demonstrate the failings of the Examiner's arguments with respect to the outstanding rejection, and are sufficient to overcome the rejections. However, these remarks are not intended to, nor need they, comprehensively address each and every reason for the patentability of the claimed subject matter over the applied prior art. Accordingly, Applicants *do not* contend that the claims are patentable solely on the basis of the particular claim elements discussed above.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,
LEE & MORSE, P.C.

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PETITION and
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Any additional fee(s) necessary to effect the proper and timely filing of the accompanying papers may also be charged to Deposit Account No. 50-1645.